

SPECIAL CONSOLIDATED CHECKLIST
for the
Phases I-IV Land Disposal Restrictions as of June 30, 1997

Notes:

1) This consolidated checklist is intended for those States that have adopted a LDR program through the Third Third Scheduled wastes (i.e., through Revision Checklist 106; 57 FR 28628; June 26, 1992) and are now revising their program to include the Phase I-IV LDR wastes. The LDR "Checklist Reference" column indicates which of the following checklists have affected each listed citation. A State that wishes to know which previous LDR checklists have affected a listed citation, should refer to the Consolidated LDR checklist. Note that non-LDR checklists have also affected certain sections of code addressed by the LDR checklists. The effects of these non-LDR checklists are indicated in footnotes rather than in the "Checklist Reference" column.

This checklist consolidates the changes to Federal code addressed by the following Phases I-IV Land Disposal Restrictions (LDR) checklists:

- Revision Checklist 109 [57 FR 37194 (August 18, 1992)];
- Revision Checklist 116 [57 FR 47772 (October 20, 1992)];
- Revision Checklist 123 [58 FR 28506 (May 14, 1993)];
- Revision Checklist 124 [58 FR 29860 (May 24, 1993)];
- Revision Checklist 136 [59 FR 43496 (August 24, 1994)];
- Revision Checklist 137 [59 FR 47982 (September 19, 1994), 60 FR 242 (January 3, 1995)]; and
- Revision Checklists 142A - 142E [60 FR 25492 (May 11, 1995)], as they relate to LDR.
- Revision Checklist 151 [61 FR 15566 (April 8, 1996), 61 FR 15660 (April 8, 1996), 61 FR 19117 (April 30, 1996), 61 FR 33680 (June 28, 1996), 61 FR 36419 (July 10, 1996), 61 FR 43924 (August 26, 1996), and 62 FR 7502 (February 19, 1997)];
- Revision Checklist 155 [62 FR 1992 (January 14, 1997)];
- Revision Checklist 157 [62 FR 25998 (May 12, 1997)]; and
- Revision Checklist 159 [62 FR 32974 (June 17, 1997)].

2) Revision Checklist 159 (62 FR 32974; June 17, 1997) amended the hazardous waste regulations to conform with a Federal court ruling which vacated the listing of certain carbamate wastes, (98 F.3d 1394 (D.C. Cir. 1996)). The carbamate wastes were listed in the rule addressed by Revision Checklist 140, and Revision Checklist 151 established treatment standards for hazardous wastes from the production of carbamate pesticides under the Land Disposal Restrictions (LDR) program. Revision Checklist 159 addresses the vacatur by removing the vacated wastes from the hazardous waste lists of Part 261 and by revising the Land Disposal Restrictions to conform with their removal.

3) The non-LDR Revision Checklist 126 (58 FR 46040, August 31, 1993, as amended by 59 FR 47980 on September 19, 1994) replaced the TCLP (method 1311) in Part 261 Appendix II (the Revision Checklist 74 version) and the EP toxicity test method (method 1310) in Part 268 Appendix IX (the Revision Checklist 83 version) with notes referencing these methods in "Test Methods for Evaluating Solid Waste, Physical/Chemical Methods" which is incorporated by reference at 260.11(a). As a result, all internal references to Part 261 Appendix II and Part 268 Appendix IX were revised to reflect these changes. Revision Checklist 126 did not revise the content nor the intended use of the TCLP or the EP toxicity methods. However, because this checklist changed the location of these methods and their internal references, States that are revising their LDR program should adopt Revision Checklist 126. As such, Revision Checklist 126, as it relates to LDR, is addressed in the "Checklist Reference" column rather than being addressed in a footnote.

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4) The following Part 268 sections are not delegable to States because of the national concerns which must be examined when decisions are made relative to them: 268.5 (case-by-case effective date extensions) and 268.42(b) (application for alternate treatment method). "No migration" petitions under 268.6 will be handled by EPA, even though States may be authorized to grant such petitions in the future. States have the authority to grant such petitions under RCRA Section 3006 because such decisions do not require a national perspective, as is the case for decisions under 268.5 or 268.42(b). However, EPA has had few opportunities to implement the land disposal restrictions and expects to gain valuable experience and information from reviewing "no-migration" petitions. For guidance regarding adoption of these non-delegable portions of the Land Disposal Restrictions, see the pre-notes to the consolidated LDR checklist.

The provisions at 40 CFR 268.44(a)-(g) address general treatment standard variances. The authority for such variances is not delegable because these variances could result in nationally applicable standards for a new waste treatability group. The provisions at 40 CFR 268.44(h)-(m), on the other hand, address site-specific variances. In the HWIR-Media Proposal (61 FR 18828, April 29, 1996), EPA clarified that the authority to review and approve this second type of treatment variance can be delegated to States. Because there has been some confusion over how to handle the delegability issue in State regulations, some States may already have been inadvertently authorized for 268.44 site-specific treatment variances. EPA is requesting that States note in their HWIR-media program revision application, other authorization applications, or in official correspondence whether they believe they have been authorized for site-specific treatment variances. EPA will evaluate that aspect of a State's submittal to confirm the State's authorization. For further information see 61 FR 18828 (April 29, 1996) and 62 FR 64506 (December 5, 1997).

5) Note that while 268.40 is delegable to States, "Administrator" in the following phrase "approved by the Administrator under the procedures set forth in 268.42(b)" should not be replaced in 268.40(b) with an analogous State term because it is referring to decisions under 268.42(b). Such decisions will be made by the EPA Administrator.

6) States do not need to adopt requirements equivalent to 40 CFR 268.13 because it contains the schedule by which EPA must evaluate wastes for land disposal restrictions. As such, this section is not included in this consolidated checklist. States do need to adopt, however, requirements equivalent to 268.14. Such requirements address the length of time interim status impoundments can be used to receive or generate newly identified or listed hazardous wastes and resolve the potential conflicts between RCRA §§3004(h)(4), 3005(j)(6) and 3004(j)(11) [see the discussion in the Federal Register for Revision Checklist 109, pp. 37218-37221].

7) Adopting the alternate treatment standards for lab packs is optional. However, if a State chooses to adopt these alternate standards, all of the requirements related to these standards must be adopted, including all of the provisions added by the Third Third Scheduled Waste Rule (i.e., Revision Checklist 78) at 264.316(f), 265.316(f), 268.7(a)(8), 268.7(a)(9), 268.42(c), 268.42(c)(1)-(4), and Appendices IV and V to Part 268.

8) The Universal Treatment Standards rule addressed by Revision Checklist 137 (59 FR 47982, September 19, 1994; 60 FR 242, January 3, 1995) made significant revisions to the existing Land Disposal Restrictions program to simplify and provide consistency in these requirements. With respect to the LDR program, a single set of requirements, referred to as the universal treatment standards (UTS), was established that applies to most hazardous wastes. These standards replaced the myriad constituent concentration levels with a uniform set of

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constituent levels, that is, the Part 268 tables containing treatment standards were consolidated into a single table (the "Treatment Standards for Hazardous Wastes" table in 268.40).

The Universal Treatment Standards rule was promulgated relative to HSWA authorities, with the exception of the modifications made to the definition of solid waste. Normally, all of the HSWA requirements would go into effect immediately. However, many States are currently authorized for the land disposal restrictions, and the September 19, 1994 modifications would result in the authority for these programs to return, in part, to EPA. Because the Agency believes that it was not Congress' intent that the responsibility for already-authorized HSWA programs be returned to EPA every time EPA promulgates modifications to HSWA program requirements, EPA has decided not to implement the UTS separately for those wastes for which the State has already received LDR authorization. Under this approach, those States authorized for some or all of the LDRs will continue to implement those portions of the program for which they are authorized, whether or not they have adopted the new standards. (See the December 19, 1994 memo from Mike Shapiro in Appendix N of the SAM.)

9) The Universal Waste rule addressed by Revision Checklists 142A through 142E (60 FR 25492; May 11, 1995) is a non-LDR rule. That rule, however, added a provision at 268.1(f) stating that handlers and transporters of the universal wastes listed at 268.1(f)(1)-(3) are exempted from the requirements at 268.7 and 268.50. For completeness, paragraphs 268.1(f) and (f)(1)-(3) are included on this Consolidated LDR Checklist. These provisions are applicable only to those States that wish to adopt the Universal Waste rule.

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADE R IN SCOPE

PART 260 - HAZARDOUS WASTE MANAGEMENT SYSTEM: GENERAL

SUBPART B - DEFINITIONS

DEFINITIONS

add "containment building"	109	260.10					
revise "miscellaneous unit"	109	260.10					
revise "pile"	109	260.10					

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1 revise reference to "Test Methods for Evaluating Solid Waste, Physical/ Chemical Methods" to refer to third edition; add ASTM Method E926-88 to the end of the list of publications incorporated by reference; remove unnumbered paragraph and list of analytical testing methods; remove footnote 1 following the list of publications incorporated by reference	126	260.11(a)					

SUBPART C - RULEMAKING PETITIONS

GENERAL

VARIANCES FROM CLASSIFICATION AS A SOLID WASTE

change "Regional Administrator" to "Administrator"	†137	260.30 intro					
remove "primary production"	†137	260.30(b)					

STANDARDS AND CRITERIA FOR VARIANCES FROM CLASSIFICATION AS A SOLID WASTE

change both occurrences of "Regional Administrator" to "Administrator"; remove "standards and" from the last sentence	†137	260.31(a)					
change "Regional Administrator" to "Administrator"	†137	260.31(b)					

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VARIANCE TO BE CLASSIFIED AS A BOILER

change "Regional Administrator" to "Administrator"	†137	260.32 intro					
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PROCEDURES FOR VARIANCES FROM CLASSIFICATION AS A SOLID WASTE OR TO BE CLASSIFIED AS A BOILER

change "Regional Administrator" to "Administrator"	†137	260.33 intro					
change "Regional Administrator" to "Administrator"; replace "in the region where the recycler is located" with "for the variance"; remove "of this part" after "260.32"	†137	260.33(a)					
change the three occurrences of "Regional Administrator" to "Administrator"; remove ", and this decision may not be appealed to the Administrator"	†137	260.33(b)					

PART 261 - IDENTIFICATION AND LISTING OF HAZARDOUS WASTE

SUBPART A - GENERAL

PURPOSE AND SCOPE

† add new paragraph; definition "Excluded scrap metal"	157	261.1(c)(9)					
† add new paragraph; definition "Processed scrap metal"	157	261.1(c)(10)					

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				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADE R IN SCOPE
† add new paragraph; definition "Home scrap metal"	157	261.1(c)(11)					
† add new paragraph; definition "Prompt scrap metal"	157	261.1(c)(12)					

DEFINITION OF SOLID WASTE

revise Table 1; add after entry for scrap metal "other than excluded scrap metal (see 261.1(c)(9))"; also add "and 'processed scrap metal'" after "scrap metal" in Note	†157	261.2(c)/Table 1					
insert "or land disposed" after "first being reclaimed"; replace the phrase "raw material feedstock, and the process must use raw materials as principal feedstocks" with "feedstock materials"; add a sentence prohibiting the placement on the land of materials that are returned to a secondary process	†137	261.2(e)(1)(iii)					

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				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADE R IN SCOPE
DEFINITION OF HAZARDOUS WASTE							
insert "of this part" after the first "subpart C"; insert "," before "or unless"; add a sentence addressing the relationship of nonwastewater mixtures and the Part 268 requirements	109	261.3(a)(2)(iii)					

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2 split paragraph into two subparagraphs, (C) (1)&(2), with the second subparagraph addressing the notification for HTMR residues; in first subparagraph, insert ", K062 or F006" after "K061"; replace "(as defined in 40 CFR 260.10(6), (7), and (12))" with "(as defined in paragraphs (6), (7), and (13) of the definition for 'Industrial Furnace' in 40 CFR 260.10)"; replace "identified below" with "identified in the tables in this paragraph"; replace "The generic exclusion levels are:" with a sentence addressing burden of proof for persons claiming this exclusion in an enforcement action; replace single table with the two tables indicated at 57 FR 37264	109	261.3(c)(2)(ii)(C)(1)					

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2 completely revise requirements addressing notification and certification; one- time notification and certification for K061, K062 or F006 HTMR residues, which meet generic exclusion levels and exhibit no characteristics that are sent to Subtitle D units; update of notification and certification; annual EPA/State notification; deadline for submission to EPA/State; what the notification must include; certification signed by authorized representative and what it must state	109	261.3(c)(2)(ii)(C)(2)					
add new paragraph addressing debris that is excluded from regulation provided it meets specified criteria:	109	261.3(f)					
add new subparagraph; Part 268-defined hazardous debris treated using a specified 268.45, Table 1, extraction or destruction technology; burden of proof on claimant in an enforcement action	109	261.3(f)(1)					

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add new subparagraph; Part 268-defined debris determined by Regional Administrator to no longer be contaminated with hazardous waste	109	261.3(f)(2)					
EXCLUSIONS							
† add paragraph; excluded scrap metal being recycled	157	261.4(a)(13)					
† add paragraph; shredded circuit boards being recycled provided that they are:	157	261.4(a)(14)					
† add subparagraph; stored in containers sufficient to prevent release, and	157	261.4(a)(14)(i)					
† add subparagraph; free of mercury switches, mercury relays and nickel cadmium batteries and lithium batteries	157	261.4(a)(14)(ii)					
REQUIREMENTS FOR RECYCLABLE MATERIALS							
after "scrap metal", add "that is not excluded under 261.4(a)(13);"	†157	261.6(a)(3)(ii)					
revise table by removing entry for K160 and revising entries for K156, K157 and K158 per 62 FR 32974	159	261.32/table					

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revise table by removing in their entirety the entries listed per 62 <u>FR</u> 32974	159	261.33(f)					
remove entire entry for EPA hazardous waste number K160	159	261 Appendix VII					
remove entries "Potassium hydroxymethyl-n-methyl- dithiocarbamate" and "Tetrabutylthiuram monosulfide" and revise as per 62 <u>FR</u> 32974	159	261 Appendix VIII					

PART 262 - STANDARDS APPLICABLE TO GENERATORS OF HAZARDOUS WASTE

SUBPART C - PRE-TRANSPORT REQUIREMENTS

ACCUMULATION TIME

replace ";" at the end of text with a ":"	109	262.34(a)(1)(iii)					
replace "." with "; and/or"	109	262.34(a)(1)(iii)(B)					

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add new subparagraph addressing waste placed in containment buildings; compliance with 265, Subpart DD; professional engineer certification of compliance with 265.1101 design standards placed in operating record no later than 60 days after the date of initial unit operation; requirements after February 18, 1993; records which must be maintained	109	262.34(a)(1)(iv)					
add new subparagraph requiring a written description of procedures to ensure each waste volume remains in unit for no more than 90 days; written description of waste generation and management practices for the facility showing that they are consistent with respecting the 90-day limit; documentation that procedures are complied with	109	262.34(a)(1)(iv)(A)					
add new subparagraph requiring documentation that unit is emptied at least once every 90 days	109	262.34(a)(1)(iv)(B)					

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3 remove first paragraph numbered (a)(2) (including (a)(2)(i)&(ii)); remove unnumbered paragraph following (a) (2)(ii)	109	262.34(a)(2)					

**PART 264 - STANDARDS FOR OWNERS AND OPERATORS OF HAZARDOUS WASTE TREATMENT,
STORAGE, AND DISPOSAL FACILITIES**

SUBPART A - GENERAL

PURPOSE, SCOPE AND APPLICABILITY

change "." to ","; add phrase regarding compliance with 264.17(b) if owner or operator is diluting hazardous ignitable wastes or reactive wastes to remove the characteristic before land disposal; replace "268.42, Table 2, of this chapter," with "268.40 of this chapter, Table Treatment Standards for Hazardous Wastes"; replace "corrosive (D002)" with "reactive (D003)"; remove "of this part" after "§264.17(b)"	124,137	264.1(g)(6)					
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SUBPART G - CLOSURE AND POST-CLOSURE

APPLICABILITY

remove "and" from the end of paragraph	109	264.110(b)(1)					
replace "." with ","	109	264.110(b)(2)					

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replace "." with "; and"	109	264.110(b)(3)					
add new paragraph addressing containment buildings that are required under 264.1102 to meet the requirements for landfills	109	264.110(b)(4)					
CLOSURE PERFORMANCE STANDARD							
change ", and 264.601 through 264.603" to ", 264.601 through 264.603, and 264.1102"	109	264.111(c)					
CLOSURE PLAN; AMENDMENT OF PLAN							
replace "264.90 et seq." with "subpart F of this part"; change "and 264.601" to ", 264.601 and 264.1102"	109	264.112(a)(2)					
SUBPART H - FINANCIAL REQUIREMENTS							
APPLICABILITY							
replace ", and" with ";"	109	264.140(b)(1)					
replace "." with ";"	109	264.140(b)(2)					
replace "." with "; and"	109	264.140(b)(3)					
add new paragraph regarding containment buildings that are required under 264.1102 to meet the requirements for landfills	109	264.140(b)(4)					

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COST ESTIMATE FOR CLOSURE

change ", and 264.601 through 264.603" to ", 264.601 through 264.603, and 264.1102"	109	264.142(a)					
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SUBPART DD - CONTAINMENT BUILDINGS

APPLICABILITY

applies to owners/operators storing or treating hazardous waste in units designed and operated under 264.1101; effective February 18, 1993, but may notify Regional Administrator of earlier time; not subject to definition of land disposal in RCRA 3004(k) provided unit:	109	264.1100					
is a completely enclosed, self-supporting structure designed and constructed as specified	109	264.1100(a)					
has a primary barrier designed to withstand movement of personnel, wastes and handling equipment within unit	109	264.1100(b)					
if used to manage liquids:	109	264.1100(c)					
primary barrier designed and constructed to prevent migration of hazardous constituents into barrier	109	264.1100(c)(1)					

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				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADE R IN SCOPE
liquid collection system to minimize accumulation of liquid on primary barrier	109	264.1100(c)(2)					
secondary containment system to prevent hazardous constituent migration into barrier; leak detection and liquid collection as specified; variance under 264.1101(b)(4)	109	264.1100(c)(3)					
controls to prevent fugitive dust emissions to meet 264.1101(c)(1)(iv) standards	109	264.1100(d)					
designed and operated to ensure containment and prevent tracking of materials from unit by personnel or equipment	109	264.1100(e)					
DESIGN AND OPERATING STANDARDS							
all containment buildings must comply with following design standards:	109	264.1101(a)					
completely enclosed as specified	109	264.1101(a)(1)					

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FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADE R IN SCOPE
design and construction of floor, containment walls and secondary containment system; unit of sufficient structural strength to prevent collapse or failure; chemically compatible surfaces; standards for judging structural integrity requirements; when exception for light-weight doors and windows will apply:	109	264.1101(a)(2)					
provide effective barrier against fugitive dust emissions under 264.1101(c)(1)(iv)	109	264.1101(a)(2)(i)					
unit designed and operated so that wastes do not contact openings	109	264.1101(a)(2)(ii)					
no placement of incompatible wastes or treatment reagents that could cause unit or secondary containment system to leak, corrode or otherwise fail	109	264.1101(a)(3)					
must have primary barrier designed to withstand movement of personnel, waste and handling equipment in unit during unit operating life, as appropriate for waste characteristics	109	264.1101(a)(4)					

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requirements for hazardous waste containing free liquids or treated with free liquids:	109	264.1101(b)					
primary barrier to prevent migration of hazardous constituents into the barrier	109	264.1101(b)(1)					
liquid collection and removal system to minimize accumulation of liquid on primary barrier:	109	264.1101(b)(2)					
primary barrier sloped to drain liquids to collection system	109	264.1101(b)(2)(i)					
liquids and waste collected and removed to minimize hydraulic head on containment system at earliest practicable time	109	264.1101(b)(2)(ii)					
secondary containment system to prevent hazardous constituent migration into barrier; leak detection and liquid collection as specified	109	264.1101(b)(3)					
what must be installed at a minimum to satisfy leak detection component of secondary containment system	109	264.1101(b)(3)(i)					
constructed with 1% or greater bottom slope	109	264.1101(b)(3)(i)(A)					

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granular, synthetic, or geonet drainage materials as specified	109	264.1101(b)(3)(i)(B)					
if treatment conducted in building, treatment area designed to prevent releases to other portions of building	109	264.1101(b)(3)(ii)					
secondary containment construction materials specifications; requirements for use of containment building as tank secondary containment system	109	264.1101(b)(3)(iii)					
for existing units other than 90-day generator units, Regional Administrator delay of secondary containment requirement if demonstrated that unit substantially meets Subpart DD standards; for demonstration, owner/operator must:	109	264.1101(b)(4)					
5 provide written notice by February 18, 1993; what notice must contain	109	264.1101(b)(4)(i)					
respond to Regional Administrator comments within 30 days	109	264.1101(b)(4)(ii)					
if approved, fulfill terms of revised plans	109	264.1101(b)(4)(iii)					

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owners and operators of all containment buildings must:	109	264.1101(c)					
use controls and practices to ensure containment of hazardous waste within unit; at a minimum:	109	264.1101(c)(1)					
maintain primary barrier as specified	109	264.1101(c)(1)(i)					
maintain level of stored/treated hazardous waste as specified	109	264.1101(c)(1)(ii)					
take measures to prevent tracking of hazardous waste out of unit; equipment decontamination area; rinsate collection and management	109	264.1101(c)(1)(iii)					
take measures to control fugitive dust emissions; maintain particulate collection devices as specified; when "no visible emissions" must be maintained	109	264.1101(c)(1)(iv)					

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certification by qualified registered professional engineer; for units in operation prior to February 18, 1993, certification placed in operating record or on-site files no later than 60 days after date of initial operation; after February 18, 1993, PE certification required prior to operation of unit	109	264.1101(c)(2)					
prompt repairs of unit throughout active life as specified, according to the following procedures:	109	264.1101(c)(3)					
6 detection of condition that has led to a release; leakage from primary barrier; owner or operator must:	109	264.1101(c)(3)(i)					
enter record of discovery in facility operating record	109	264.1101(c)(3)(i)(A)					
immediately remove portion of containment building affected by the condition from service	109	264.1101(c)(3)(i)(B)					
determine steps to be taken for repair, remove leakage from secondary collection system and establish schedule for cleanup and repairs	109	264.1101(c)(3)(i)(C)					

SPECIAL CONSOLIDATED CHECKLIST: Phases I-IV
Land Disposal Restrictions as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADE R IN SCOPE
within 7 days, notify Regional Administrator of condition; within 14 working days, provide written notice to Regional Administrator; what written notice must include	109	264.1101(c)(3)(i)(D)					
Regional Administrator must review notice, determine extent to which unit must be removed from service during repairs, and notify owner/operator of determination and rationale in writing	109	264.1101(c)(3)(ii)					
written notification to Regional Administrator on completion of repair and cleanup; verification by a qualified, registered professional engineer that repairs and cleanup are in compliance with 264.1101(c)(3)(i)(D) plan	109	264.1101(c)(3)(iii)					
what must be inspected and recorded in facility's operating records, at least once every seven days	109	264.1101(c)(4)					
for containment buildings that contain areas both with and without secondary containment, the owner/operator must:	109	264.1101(d)					

SPECIAL CONSOLIDATED CHECKLIST: Phases I-IV
Land Disposal Restrictions as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADE R IN SCOPE
design and operate each area in accordance with 264.1101(a)-(c) requirements	109	264.1101(d)(1)					
take measures to prevent release of liquids or wet materials into areas without secondary containment	109	264.1101(d)(2)					
maintain in facility's operating log a written description of operating procedures used to maintain integrity of areas without secondary containment	109	264.1101(d)(3)					
Regional Administrator waiver of secondary containment requirements; what owner/operator must demonstrate	109	264.1101(e)					
CLOSURE AND POST-CLOSURE CARE							
what must be done at closure; closure plan, closure activities, cost estimates, and financial responsibility must meet all 264 Subpart G & H requirements	109	264.1102(a)					

SPECIAL CONSOLIDATED CHECKLIST: Phases I-IV
Land Disposal Restrictions as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADE R IN SCOPE
if 264.1102(a) requirements met and not all contaminated subsoils can be removed or decontaminated, close facility and perform post-closure care as for landfill under 264.310; owner/operator must meet 264 Subpart G & H requirements for landfills	109	264.1102(b)					
reserved	109	264.1103-264.1110					

**PART 265 - INTERIM STATUS STANDARDS FOR OWNERS AND OPERATORS OF HAZARDOUS
WASTE TREATMENT, STORAGE, AND DISPOSAL FACILITIES**

SUBPART A - GENERAL

PURPOSE, SCOPE, AND APPLICABILITY

change ending period to a comma and add a phrase regarding compliance with § 264.17(b) if owner or operator is diluting hazardous ignitable wastes or reactive wastes to remove the characteristic before land disposal	124,137	265.1(c)(10)					
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SUBPART G - CLOSURE AND POST-CLOSURE

APPLICABILITY

remove "and" from end of paragraph	109	265.110(b)(1)					
remove "and" from end of paragraph	109	265.110(b)(2)					
replace "." with "; and"	109	265.110(b)(3)					

SPECIAL CONSOLIDATED CHECKLIST: Phases I-IV
Land Disposal Restrictions as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADE R IN SCOPE
add new paragraph addressing containment buildings that are required under 265.1102 to meet the requirements for landfills	109	265.110(b)(4)					
CLOSURE PERFORMANCE STANDARD							
change "and 265.404" to ", 265.404, and 264.1102"	109	265.111(c)					
CLOSURE PLAN; AMENDMENT OF PLAN							
replace "§§ 265.90 et seq." with "subpart F of this part, §§"; change ", and 265.404" to ", 265.404, and 264.1102"	109	265.112(d)(4)					
SUBPART H - FINANCIAL REQUIREMENTS							
APPLICABILITY							
in 265.140(b) insert ":" after "of"; reorganize rest of paragraph after "apply to" into 265.140(b)(1) [disposal facilities] and 265.140(b)(2) [tank systems]; add 265.140(b) (3) addressing containment buildings	109	265.140(b)					
		265.140(b)(1)					
		265.140(b)(2)					
		265.140(b)(3)					
COST ESTIMATE FOR CLOSURE							
replace "of §§ 265.178" with "in §§ 265.178"; change "and 265.404" to ", 265.404 and 265.1102"	109	265.142(a)					

SPECIAL CONSOLIDATED CHECKLIST: Phases I-IV
Land Disposal Restrictions as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADE R IN SCOPE

SUBPART K - SURFACE IMPOUNDMENTS

DESIGN AND OPERATING REQUIREMENTS

add new paragraph regarding surface impoundments newly subject to RCRA §3005(j)(1) must be in compliance with 265.221(a),(c)&(d) no later than 48 months after additional characteristic or listing promulgation; Part 268 land disposal prohibitions or an extension to an effective date, within the 48-month period, shall not cut short compliance period	109	265.221(h)					
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SUBPART DD - CONTAINMENT BUILDINGS

APPLICABILITY

applies to owners/operators storing or treating hazardous waste in units designed and operated under 265.1101; effective February 18, 1993, but may notify Regional Administrator of earlier time; not subject to definition of land disposal in RCRA 3004(k) provided unit:	109	265.1100					
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SPECIAL CONSOLIDATED CHECKLIST: Phases I-IV
Land Disposal Restrictions as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADE R IN SCOPE
is a completely enclosed, self supporting structure designed and constructed as specified	109	265.1100(a)					
has a primary barrier designed to withstand movement of personnel, wastes and handling equipment within unit	109	265.1100(b)					
if used to manage liquids:	109	265.1100(c)					
primary barrier designed and constructed to prevent migration of hazardous constituents into barrier	109	265.1100(c)(1)					
liquid collection system to minimize accumulation of liquid on primary barrier	109	265.1100(c)(2)					
secondary containment system to prevent hazardous constituent migration into barrier; leak detection and liquid collection as specified; variance under 265.1101(b)(4)	109	265.1100(c)(3)					
8 controls to prevent fugitive dust emissions	109	265.1100(d)					
designed and operated to ensure containment and prevent tracking of materials from unit by personnel or equipment	109	265.1100(e)					

SPECIAL CONSOLIDATED CHECKLIST: Phases I-IV
Land Disposal Restrictions as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADE R IN SCOPE
DESIGN AND OPERATING STANDARDS							
all containment buildings must comply with following design standards:	109	265.1101(a)					
completely enclosed as specified	109	265.1101(a)(1)					
design and construction of floor, containment walls and secondary containment system; unit of sufficient structural strength to prevent collapse or failure; chemically compatible surfaces; standards for judging structural integrity requirements; when exception for light-weight doors and windows will apply:	109	265.1101(a)(2)					
provide effective barrier against fugitive dust emissions under 265.1101(c)(1)(iv)	109	265.1101(a)(2)(i)					
unit designed and operated so that wastes do not contact openings	109	265.1101(a)(2)(ii)					
no placement of incompatible wastes or treatment reagents that could cause unit or secondary containment system to leak, corrode or otherwise fail	109	265.1101(a)(3)					

SPECIAL CONSOLIDATED CHECKLIST: Phases I-IV
Land Disposal Restrictions as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADE R IN SCOPE
must have primary barrier designed to withstand movement of personnel, waste and handling equipment in unit during unit operating life, as appropriate for waste characteristics	109	265.1101(a)(4)					
requirements for hazardous waste containing free liquids or treated with free liquids:	109	265.1101(b)					
primary barrier to prevent migration of hazardous constituents into the barrier	109	265.1101(b)(1)					
liquid collection and removal system to prevent accumulation of liquid on primary barrier:	109	265.1101(b)(2)					
primary barrier sloped to drain liquids to collection system	109	265.1101(b)(2)(i)					
liquids and waste collected and removed to minimize hydraulic head on containment system at earliest practicable time to protect human health and environment	109	265.1101(b)(2)(ii)					
secondary containment system to prevent hazardous constituent migration into barrier; leak detection and liquid collection as specified	109	265.1101(b)(3)					

SPECIAL CONSOLIDATED CHECKLIST: Phases I-IV
Land Disposal Restrictions as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADE R IN SCOPE
what must be installed at a minimum to satisfy leak detection component of secondary containment system	109	265.1101(b)(3)(i)					
construct with 1% or greater bottom slope	109	265.1101(b)(3)(i)(A)					
granular, synthetic, or geonet drainage materials as specified	109	265.1101(b)(3)(i)(B)					
if treatment conducted in building, treatment area designed to prevent releases to other portions of building	109	265.1101(b)(3)(ii)					
secondary containment construction materials specifications; requirements for use of containment building as tank secondary containment system	109	265.1101(b)(3)(iii)					
for existing units other than 90-day generator units, Regional Administrator delay of secondary containment requirement if demonstrated that unit substantially meets Subpart DD standards; for demonstration, owner/operator must:	109	265.1101(b)(4)					
provide written notice by February 18, 1993; what notice must contain	109	265.1101(b)(4)(i)					

SPECIAL CONSOLIDATED CHECKLIST: Phases I-IV
Land Disposal Restrictions as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADE R IN SCOPE
respond to Regional Administrator comments within 30 days	109	265.1101(b)(4)(ii)					
if approved, fulfill terms of revised plans	109	265.1101(b)(4)(iii)					
owners and operators of all containment buildings must:	109	265.1101(c)					
use controls and practices to ensure containment of hazardous waste within unit; at a minimum:	109	265.1101(c)(1)					
maintain primary barrier as specified	109	265.1101(c)(1)(i)					
maintain level of stored/treated hazardous waste as specified	109	265.1101(c)(1)(ii)					
take measures to prevent tracking of hazardous waste out of unit; equipment decontamination area; rinsate collection and management	109	265.1101(c)(1)(iii)					
take measures to control fugitive dust emissions; maintain particulate collection devices as specified; when "no visible emissions" must be maintained	109	265.1101(c)(1)(iv)					

SPECIAL CONSOLIDATED CHECKLIST: Phases I-IV
Land Disposal Restrictions as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADE R IN SCOPE
certification by qualified registered professional engineer; for units in operation prior to February 18, 1993, certification placed in operating record or on-site files no later than 60 days after date of initial operation; after February 18, 1993, PE certification required prior to operation of unit	109	265.1101(c)(2)					
prompt repairs of unit throughout active life, according to the following procedures:	109	265.1101(c)(3)					
detection of condition that has led to a release; leakage from primary barrier; owner or operator must:	109	265.1101(c)(3)(i)					
enter record of discovery in facility operating record	109	265.1101(c)(3)(i)(A)					
immediately remove portion of containment building affected by the condition from service	109	265.1101(c)(3)(i)(B)					
determine steps to be taken for repair; remove leakage from secondary collection system and establish schedule for cleanup and repairs	109	265.1101(c)(3)(i)(C)					

SPECIAL CONSOLIDATED CHECKLIST: Phases I-IV
Land Disposal Restrictions as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADE R IN SCOPE
within 7 days, notify Regional Administrator of condition; within 14 working days, provide written notice to Regional Administrator; what written notice must include	109	265.1101(c)(3)(i)(D)					
Regional Administrator must review notice, determine extent to which unit must be removed from service during repairs, and notify owner/operator of determination and rationale in writing	109	265.1101(c)(3)(ii)					
written notification of Regional Administrator on completion of repair and cleanup; verification by a qualified, registered professional engineer that repairs and cleanup are in compliance with 265.1101(c)(3)(i)(D) plan	109	265.1101(c)(3)(iii)					
what must be inspected and recorded in facility's operating records, at least once every seven days	109	265.1101(c)(4)					
for containment building that contains both areas with and without secondary containment, the owner/operator must:	109	265.1101(d)					

SPECIAL CONSOLIDATED CHECKLIST: Phases I-IV
Land Disposal Restrictions as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADE R IN SCOPE
design and operate each area in accordance with 265.1101(a)-(c) requirements	109	265.1101(d)(1)					
take measures to prevent release of liquids or wet materials into areas without secondary containment	109	265.1101(d)(2)					
maintain in facility's operating log a written description of operating procedures used to maintain integrity of areas without secondary containment	109	265.1101(d)(3)					
Regional Administrator waiver of secondary containment requirements; what owner/operator must demonstrate	109	265.1101(e)					
CLOSURE AND POST-CLOSURE CARE							
what must be done at closure; closure plan, closure activities, cost estimates, and financial responsibility must meet all 265 Subparts G & H requirements	109	265.1102(a)					

SPECIAL CONSOLIDATED CHECKLIST: Phases I-IV
Land Disposal Restrictions as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADE R IN SCOPE
if 265.1102(a) requirements met and not all contaminated soils can be removed or decontaminated, close facility and perform post-closure care as for landfill under 265.310; owner/operator must meet 265 Subparts G & H requirements for landfills	109	265.1102(b)					
reserved	109	265.1103-265.1110					

**PART 266 - STANDARDS FOR THE MANAGEMENT OF SPECIFIC HAZARDOUS WASTES AND
SPECIFIC TYPES OF HAZARDOUS WASTE MANAGEMENT FACILITIES**

SUBPART C - RECYCLABLE MATERIALS USED IN A MANNER CONSTITUTING DISPOSAL

APPLICABILITY

add new paragraph; uses of slags from HTMR processing of hazardous wastes K061, K062 and F006 not covered by 266.20(b)	136	266.20(c)					
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**STANDARDS APPLICABLE TO USERS OF MATERIALS THAT ARE USED IN A MANNER THAT
CONSTITUTES DISPOSAL**

9 replace "Subparts A through N of parts 264 and 265 and Parts 270 and 124" with "subparts A through N of parts 264 and 265 and parts 268, 270 and 124"	137	266.23(a)					
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SPECIAL CONSOLIDATED CHECKLIST: Phases I-IV
Land Disposal Restrictions as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADE R IN SCOPE

SUBPART H - HAZARDOUS WASTE BURNED IN BOILERS AND INDUSTRIAL FURNACES

APPLICABILITY

insert "or mercury recovery furnace," after "recovery furnace"	137	266.100(c)(1)					
insert "or mercury" after "nickel-chromium"; insert "(c)(3)" at the end of paragraph	137	266.100(c)(3)					
replace "and XII" with ", XII, and XIII"	137	266.100(c)(3)(i)					
10 insert "of this part" after "appendix XI"; insert "of this part" after "appendix XII"; after "nickel or chromium" insert "a waste listed in appendix XIII of this part must contain recoverable levels of mercury and contain less than 500 ppm of 40 CFR part 261, appendix VIII organic constituents,"	137	266.100(c)(3)(i)(A)					
replace "or XII" with "XII, or XIII"	137	266.100(c)(3)(ii)					

APPENDIX XIII TO PART 266

MERCURY BEARING WASTES THAT MAY BE PROCESSED IN EXEMPT MERCURY RECOVERY UNITS

add a new appendix addressing certain mercury-bearing wastes	137	266/Appendix XIII					
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SPECIAL CONSOLIDATED CHECKLIST: Phases I-IV
Land Disposal Restrictions as of June 30, 1997 (cont'd)

	FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
					EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADE R IN SCOPE
11	PART 268 - LAND DISPOSAL RESTRICTIONS							
	SUBPART A - GENERAL							
12	PURPOSE, SCOPE AND APPLICABILITY							
13	delete both occurrences of "from land disposal"; insert "or part 148 of this chapter" after "under this part,"	151	268.1(c)(3)					
13,14	add "and" at the end of the subparagraph	151	268.1(c)(3)(i)					
13	insert "identified in 40 CFR part 261, subpart C" after "waste"	137, 151	268.1(c)(3)(ii)					
13,15	remove paragraph added by 137	137, 151	268.1(c)(3)(iii)					
16	add paragraph; wastes that exhibit a hazardous characteristic (except D003 reactive cyanide and those subject to a treatment method other than DEACT in 268.40) are not prohibited from land disposal if:	151	268.1(c)(4)					
	the wastes are managed in a treatment system with a permit under Clean Water Act (CWA) § 402, or	151	268.1(c)(4)(i)					
	the wastes are treated under the pretreatment requirements of CWA § 307, or	151	268.1(c)(4)(ii)					

SPECIAL CONSOLIDATED CHECKLIST: Phases I-IV
Land Disposal Restrictions as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADE R IN SCOPE
the wastes are managed in a zero discharge system engaged in CWA-equivalent treatment as defined in 268.37(a), and	151	268.1(c)(4)(iii)					
the wastes no longer exhibit a prohibited characteristic at the point of land disposal	151	268.1(c)(4)(iv)					
revise paragraph; <i>de minimis</i> losses of characteristic wastes to wastewaters are not considered prohibited wastes and definition of <i>de minimis</i> losses	124,137, 151, 157	268.1(e)(4)					

SPECIAL CONSOLIDATED CHECKLIST: Phases I-IV
Land Disposal Restrictions as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADE R IN SCOPE
add new paragraph; land disposal prohibitions for hazardous characteristic wastes do not apply to laboratory wastes displaying the characteristic of ignitability, corrosivity, or organic toxicity, that are mixed with other plant wastewaters at facilities whose ultimate discharge is subject to regulation under the CWA, provided the annualized flow of laboratory wastewater into facility's headworks does not exceed 1%, or provided that the laboratory wastes' combined annualized average concentration does not exceed one part per million in the facility's headworks	124,137, 151	268.1(e)(5)					
†17 add new paragraph; universal waste handlers and transporters are exempt from 268.7 and 268.50 for the listed universal wastes; these handlers are subject to Part 273 instead	142A	268.1(f) intro					
†17 add new subparagraph exempting handlers of batteries as described in 273.2	142B	268.1(f)(1)					

SPECIAL CONSOLIDATED CHECKLIST: Phases I-IV
Land Disposal Restrictions as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADE R IN SCOPE
†17 add new subparagraph exempting handlers of pesticides as described in 273.3	142C	268.1(f)(2)					
†17 add new subparagraph exempting handlers of thermostats as described in 273.4	142D	268.1(f)(3)					
DEFINITIONS APPLICABLE TO THIS PART							
delete ", with the following exceptions:"; add an ending period	151	268.2(f)					
18 removed	151	268.2(f)(1)-(3)					
replace definition of "inorganic solid debris" with definition of "debris" and list of materials that are not debris	109,137	268.2(g)					
19 removed	109	268.2(g)(1)-(8)					
add new paragraph defining "hazardous debris"	109	268.2(h)					
add new paragraph defining "underlying hazardous constituent"; insert "fluoride," before "vanadium"	124,137, 151	268.2(i)					
add definition of "inorganic metal-bearing waste"	151	268.2(j)					

SPECIAL CONSOLIDATED CHECKLIST: Phases I-IV
Land Disposal Restrictions as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADE R IN SCOPE
DILUTION PROHIBITED AS A SUBSTITUTE FOR TREATMENT							
replace "a treatment system which treats" with "treatment systems which include land-based units which treat"; replace "or which treats wastes" with ", or which treat wastes in a CWA-equivalent treatment system, or which treat wastes"; replace "has been specified as the treatment standard in §268.42" with "other than DEACT has been specified in § 268.40 as the treatment standard"	151	268.3(b)					
combustion of hazardous waste codes listed in part 268 Appendix XI is prohibited unless the waste complies with one or more criteria of 268.3(c)(1)-(6)	151	268.3(c)					
		268.3(c)(1)					
		268.3(c)(2)					
		268.3(c)(3)					
		268.3(c)(4)					
		268.3(c)(5)					
		268.3(c)(6)					
TREATMENT SURFACE IMPOUNDMENT EXEMPTION							
completely revise subparagraph; sampling and testing and recordkeeping provisions of 264.13 and 265.13 of this chapter apply	157	268.4(a)(2)(iv)					

SPECIAL CONSOLIDATED CHECKLIST: Phases I-IV
Land Disposal Restrictions as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADE R IN SCOPE
remove "and submits a copy of the waste analysis plan under §268.4(a)(2)"	157	268.4(a)(4)					

Guidance note: 268.5 is NOT DELEGABLE. States should see pre-note 4 at the beginning of this checklist regarding how to incorporate this section into their code.

PROCEDURES FOR CASE-BY-CASE EXTENSIONS TO AN EFFECTIVE DATE

replace ending ";" with "; or"	109	268.5(h)(2)(ii)					
replace ending ";" with "; or"	109	268.5(h)(2)(iv)					
redesignate old 268.5(h)(2)(v) as 268.5(h)(2)(vi); add new paragraph addressing surface impoundments newly subject to RCRA 3006(j)(1); compliance with 265 Subpart F within 12 months and with 265.221(a), (c), and (d) within 48 months; effect of a national capacity variance	109	268.5(h)(2)(v)					
former 268.5(h)(2)(v) becomes 268.5(h)(2)(vi)	109	268.5(h)(2)(vi)					

20,21 TESTING, TRACKING, AND RECORDKEEPING REQUIREMENTS FOR GENERATORS, TREATERS, AND DISPOSAL FACILITIES

1 redesignate old 268.7(a) as 268.7(a)(1); requirements for generators	157	268.7(a)(intro)					
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SPECIAL CONSOLIDATED CHECKLIST: Phases I-IV
Land Disposal Restrictions as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADE R IN SCOPE
22,23 old 268.7(a) is new 268.7(a)(1); completely revise paragraph; generator of hazardous waste must determine if it has to be treated before it can be land disposed; this is done by determining if the waste meets treatment standards in §268.40 or §268.45; determination can be made in two ways: test the waste or use knowledge of the waste; for testing, method 1311 is used and land treatment methods of §268.40 and §268.42 may apply; if characteristic waste, generators must comply with §268.9	124,126, 137,151, 157	268.7(a)(1)					
24 removed	109,124, 137,151, 157	268.7(a)(1)(i)-(v)					
25 removed	137,151	268.7(a)(1)(vi)					

SPECIAL CONSOLIDATED CHECKLIST: Phases I-IV
Land Disposal Restrictions as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADE R IN SCOPE
26 revise paragraph; if waste does not meet treatment standard, one-time notice with initial shipment of waste to each treatment or storage facility receiving waste; the generator must place a copy in the file; notice must include information in 268.7(a)(2) column of 268.7(a)(4) table; no further notice is necessary unless waste or facility change	157	268.7(a)(2)					
27 removed	137,151, 157	268.7(a)(2)(i)(A)-(D)					
28 removed	157	268.7(a)(2)(ii)					
completely revise subparagraph; if waste meets treatment standard at original point of generation	157	268.7(a)(3)					
completely revise subparagraph; with initial shipment of waste, generator must send one-time written notice to each treatment/ storage/disposal facility receiving waste, and keep a copy in the file; notice must include information in the 268.7(a)(3) column of 268.7(a)(4) table; certification statement	157	268.7(a)(3)(i)					

SPECIAL CONSOLIDATED CHECKLIST: Phases I-IV
Land Disposal Restrictions as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADE R IN SCOPE
completely revise subparagraph; if waste changes, generator must send new notice and certification to receiving facility and place a copy in their files; generators of hazardous debris excluded from definition of hazardous waste under 261.3(f) are not subject to these requirements	137,151, 157	268.7(a)(3)(ii)					
29 removed	109,137, 157	268.7(a)(3)(iii)-(vii)					

SPECIAL CONSOLIDATED CHECKLIST: Phases I-IV
Land Disposal Restrictions as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADE R IN SCOPE
insert new 268.7(a)(4) and redesignate old 268.7(a)(4) as 268.7(a)(5); completely revise subparagraph; certain exemptions from the requirement that hazardous wastes meet treatment standards before land disposed include but are not limited to case-by-case extensions under 268.5, disposal in a no-migration unit under 268.6 or national capacity variance or case-by-case capacity variance under Subpart C; with initial shipment, generator must send one-time written notice to each land disposal facility for exempted waste; notice must include information in 268.7(a)(4) column of 268.7(a)(4) table; changed waste requires further notice	157	268.7(a)(4)					
add table	157	268.7(a)(4)/table					
30 removed	157	268.7(a)(4)(i)-(iii)					

SPECIAL CONSOLIDATED CHECKLIST: Phases I-IV
Land Disposal Restrictions as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADE R IN SCOPE
old 268.7(a)(4) is new 268.7(a)(5); add "and treating" after "managing"; remove ", and is treating such waste in such tank, containers or containment buildings"; replace "under subpart D of this part" with "found at 268.40"; replace "the generator" with "they" after "describes the procedures"	109,157	268.7(a)(5)					
redesignate old 268.7(a)(4)(i) as 268.7(a)(5)(i); replace "Part" with "part"	157	268.7(5)(i)					
redesignate 268.7(a)(4)(ii) as 268.7(a)(5)(ii); completely revise subparagraph; plan must be kept on-site and available to inspectors	157	268.7(a)(5)(ii)					
redesignate old 268.7(a)(4)(iii) as 268.7(a)(5)(iii); replace "268.7(a)(2)" with 268.7(a)(3)	157	268.7(a)(5)(iii)					

SPECIAL CONSOLIDATED CHECKLIST: Phases I-IV
Land Disposal Restrictions as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADE R IN SCOPE
redesignate old 268.7(a)(5) as 268.7(a)(6); replace "whether the" with "that the"; replace "described in Appendix I of this part" with wording referencing method 1311, SW-846 and 260.11	157	268.7(a)(6)					
redesignate old 268.7(a)(6) as 268.7(a)(7); insert parenthetic phrase addressing characteristic waste subject to CWA	137, 157	268.7(a)(7)					
redesignate old 268.7(a)(7) as 268.7(a)(8); replace the two occurrences of "five years" with "three years"	137,157	268.7(a)(8)					
†★, redesignate old 31,32 268.7(a)(8) as 268.7(a)(9); completely revise subparagraph and place certification in new 268.7(a)(9)(i); if generator is managing lab packs containing hazardous waste and wishes to use alternative treatment method in 268.42(c):	137,157	268.7(a)(9)					

SPECIAL CONSOLIDATED CHECKLIST: Phases I-IV
Land Disposal Restrictions as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADE R IN SCOPE
†★ add new subparagraph; with initial shipment of waste, generator must submit notice with information in the 268.7(a)(9) column of the 268.7(a)(4) table; certification must be placed in files; replace old certification with new certification	157	268.7(a)(9)(i)					
†★ add new subparagraph; no further notification is necessary until wastes or receiving facility change in which case new notice and certification must be sent and copy placed in files	157	268.7(a)(9)(ii)					
†★ add new subparagraph; if lab pack contains characteristic hazardous wastes (D001-D043), underlying hazardous constituents need not be determined	157	268.7(a)(9)(iii)					
†★ add new subparagraph; generator must also comply with requirements in 268.7(a)(6) and (a)(7)	157	268.7(a)(9)(iv)					
insert "40 CFR" before "264.13" and "265.13"; insert "(for permitted TSDs)" after "264.13"; insert "(for interim status facilities)" after "265.13"	157	268.7(b)					

SPECIAL CONSOLIDATED CHECKLIST: Phases I-IV
Land Disposal Restrictions as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADE R IN SCOPE
revise subparagraph; for wastes with treatment standards expressed as concentrations in waste extract, owner or operator must test extract of treatment residues using test method 1311 to assure that treatment residues extract meet applicable treatment standards	157	268.7(b)(1)					
33 remove old 268.7(b)(2); redesignate old 268.7(b)(3) as 268.7(b)(2); remove "(268.43)"; replace "the treatment residues" with "they" after "to assure"	157	268.7(b)(2)					
33 redesignate old 268.7(b)(4) as 268.7(b)(3); completely revise paragraph; one-time notice must be sent with initial shipment of waste to land disposal facility; copy of notice must be placed in facility's file	109,157	268.7(b)(3) intro					

SPECIAL CONSOLIDATED CHECKLIST: Phases I-IV
Land Disposal Restrictions as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADE R IN SCOPE
33 redesignate old 268.7(b)(4)(i) as 268.7(b)(3)(i); completely revise subparagraph; no further notification is necessary until waste or receiving facility change in which case new notice must be sent and copy placed in facility's file	157	268.7(b)(3)(i)					
33 redesignate old 268.7(b)(4)(ii) as 268.7(b)(3)(ii); completely revise subparagraph; the one-time notice must include these requirements; remove old 268.7(b)(4)(iii) and (iv)	124,137, 151,157	268.7(b)(3)(ii)					
33 add table	157	268.7(b)(3)(ii)/table					
33 redesignate old 268.7(b)(5) as 268.7(b)(4); completely revise subparagraph; treatment facility must submit a one-time certification signed by an authorized representative with initial shipment of waste or treatment residue of restricted waste to land disposal facility; certification	109,157	268.7(b)(4)					

SPECIAL CONSOLIDATED CHECKLIST: Phases I-IV
Land Disposal Restrictions as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADE R IN SCOPE
33 redesignate old 268.7(b)(5)(i) as 268.7(b)(4)(i); completely revise subparagraph; copy of the certification must be placed in treatment facility's on-site files; if waste or treatment residue changes, new notice must be sent and copy placed in files	157	268.7(b)(4)(i)					
33 redesignate old 268.7(b)(5)(ii) as 268.7(b)(4)(ii); completely revise subparagraph; debris excluded from definition of hazardous waste in 261.3(e) is subject to notification and certification requirements of 268.7(d)	157	268.7(b)(4)(ii)					

SPECIAL CONSOLIDATED CHECKLIST: Phases I-IV
Land Disposal Restrictions as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADE R IN SCOPE
33 redesignate old 268.7(b)(5)(iii) as 268.7(b)(4)(iii); completely revise subparagraph; for wastes with organic constituents having treatment standards expressed as concentration levels, if compliance with treatment standards is based in whole or in part on analytical detection limit alternative specified in 268.40(d), certification, signed by authorized representative; certification statement	157	268.7(b)(4)(iii)					
33 remove	157	268.7(b)(4)(iv)-(v)					
33 redesignate old 268.7(b)(6) as 268.7(b)(5)	157	268.7(b)(5)					
33 redesignate old 268.7(b)(7) as 268.7(b)(6)	157	268.7(b)(6)					
delete ", and the certification specified in 268.8 if applicable."	157	268.7(c)(1)					
replace "method described in Appendix I of this part or using any method required by generators under 268.32 of this part" with the wording referencing method 1311 SW-846 and 260.11	157	268.7(c)(2)					

SPECIAL CONSOLIDATED CHECKLIST: Phases I-IV
Land Disposal Restrictions as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADE R IN SCOPE
add new paragraph addressing the notification and certification requirements for generators or treaters who first claim that hazardous debris is excluded from the definition of hazardous waste under 261.3(e)	109,137	268.7(d)					
add new subparagraph; one-time notification including specified information	109,137	268.7(d)(1)					
	109	268.7(d)(1)(i)					
		268.7(d)(1)(ii)					
		268.7(d)(1)(iii)					
add new subparagraph; when notification must be updated	109	268.7(d)(2)					
add new subparagraph; how the owner or operator must document and certify compliance with Table 1, 268.45 treatment standards	109	268.7(d)(3)					
		268.7(d)(3)(i)					
		268.7(d)(3)(ii)					
		268.7(d)(3)(iii)					
LANDFILL AND SURFACE IMPOUNDMENT DISPOSAL RESTRICTIONS							
removed and reserved	151	268.8					

SPECIAL CONSOLIDATED CHECKLIST: Phases I-IV
Land Disposal Restrictions as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADE R IN SCOPE
SPECIAL RULES REGARDING WASTES THAT EXHIBIT A CHARACTERISTIC							
revise paragraph; initial generator of solid waste must determine each EPA Hazardous Waste Number in order to determine treatment standards under subpart D; for 268, waste will carry the waste code for any applicable listed waste; where waste exhibits characteristic, it will carry one or more of the characteristic waste codes, except when treatment standard operates in lieu of treatment standard for characteristic waste, as specified at 268.9(b); if generator determines that waste displays hazardous characteristic, generator must determine defined hazardous constituent except for certain D001 wastes	124,137, 151,157	268.9(a)					

SPECIAL CONSOLIDATED CHECKLIST: Phases I-IV
Land Disposal Restrictions as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADE R IN SCOPE
36, 37 revise paragraph after "no longer hazardous"; place one-time notification and certification in generator's/treater's files and send to EPA region or authorized State; when notification and certification must be updated; annual EPA/State notification if such changes occur, by December 31	109,151	268.9(d)					
36 remove "The" at the beginning of the subparagraph; insert "RCRA" before "Subtitle D facility"; add "and" at the end of the subparagraph	109,137, 151	268.9(d)(1)(i)					
36,38 replace "Hazardous Waste Number(s)" with "hazardous waste code(s)"; replace "in D001 and D002 wastes prohibited under §268.37 or D0012-D0043 wastes under §268.38" with a phrase and sentence renaming listing requirement if all underlying hazardous constituents will be treated and monitored	109,137, 151,157	268.9(d)(1)(ii)					
remove "initial"	109	268.9(d)(1)(iii)					

SPECIAL CONSOLIDATED CHECKLIST: Phases I-IV
Land Disposal Restrictions as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADE R IN SCOPE
replace "268.7(b)(5)(1)" with "268.7(b)(5)"	109	268.9(d)(2)					
add new subparagraph; if treatment removes the characteristic but does not treat underlying hazardous constituents, then the certification found in §268.7(b)(5)(iv) applies	137	268.9(d)(2)(i)					
reserved	137	268.9(d)(2)(ii)					

**SUBPART B - SCHEDULE FOR LAND DISPOSAL PROHIBITION AND ESTABLISHMENT OF
TREATMENT STANDARDS**

39 SURFACE IMPOUNDMENT EXEMPTIONS

defines additional circumstances in which prohibited waste may continue to be placed in a surface impoundment	109	268.14(a)					
continued storage of "newly identified waste" in newly regulated impoundment for 48 months after the promulgation of the additional listing or characteristic provided waste is not otherwise prohibited and impoundment is in compliance with 265, subpart F within 12 months after new listing/ characteristic promulgation	109	268.14(b)					

SPECIAL CONSOLIDATED CHECKLIST: Phases I-IV
Land Disposal Restrictions as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADE R IN SCOPE
continue treatment of "newly identified waste" in newly regulated impoundment, provided waste is not otherwise prohibited, and surface impoundment is in compliance with 265, Subpart F within 12 months after new listing/ characteristic promulgation	109	268.14(c)					

SUBPART C - PROHIBITIONS ON LAND DISPOSAL

40 WASTE SPECIFIC PROHIBITIONS -- WOOD PRESERVING WASTES

completely revise paragraph; effective August 11, 1997, the following wastes are prohibited from land disposal: F032, F034, F035	157	268.30(a)					
41 removed	157	268.30(a)(1)-(4)					
completely revise paragraph; effective May 12, 1999, soil and debris contaminated with F032, F034, F035 and radioactive wastes mixed with F032, F034, F035 are prohibited from land disposal	157	268.30(b)					

SPECIAL CONSOLIDATED CHECKLIST: Phases I-IV
Land Disposal Restrictions as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADE R IN SCOPE
completely revise paragraph; between May 12, 1997 and May 12, 1999, soil and debris contaminated with F032, F034, F035 and radioactive waste mixed with F032, F034 and F035 may be disposed in a landfill or surface impoundment only if 268.5(h)(2) requirements are met	157	268.30(c)					
completely revise paragraph; requirements of 268.30 (a) and (b) do not apply if:	157	268.30(d)					
insert "applicable treatment" before "standards"; replace "of Subpart D" with "specified in Subpart D"; remove "or" at end of paragraph	157	268.30(d)(1)					
remove "or" at end of paragraph	157	268.30(d)(2)					
42 redesignate old 268.30(d)(3) as new 268.30(d)(4); add new 268.30(d)(3); the wastes meet the applicable alternate treatment standards established pursuant to a petition granted under §268.44	157	268.30(d)(3)					

SPECIAL CONSOLIDATED CHECKLIST: Phases I-IV
Land Disposal Restrictions as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADE R IN SCOPE
42 old 268.30(d)(3) is new 268.30(d)(4); persons have been granted an extension to effective date of prohibition pursuant to §268.5 with respect to wastes covered by the extension	157	268.30(d)(4)					
add new paragraph; to determine whether a hazardous waste identified in 268.40 exceeds applicable treatment standards, initial generator must test a sample of waste extract or entire waste; if waste contains constituents in excess of applicable treatment levels of 268.48, waste is prohibited from land disposal and all requirements of 268 are applicable unless otherwise specified	157	268.30(e)					
43 removed and reserved	109,116, 123,157	268.32 - 268.36					

SPECIAL CONSOLIDATED CHECKLIST: Phases I-IV
Land Disposal Restrictions as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADE R IN SCOPE

**44 WASTE SPECIFIC PROHIBITIONS--IGNITABLE AND CORROSIVE CHARACTERISTIC WASTES
 WHOSE TREATMENT STANDARDS WERE VACATED**

effective August 9, 1993, wastes specified in 261.21 as D001 (and not in the High TOC Ignitable Liquids subcategory) and in 261.22 as D002 that are managed in systems other than those whose discharge is regulated under the CWA or that inject in Class I deep wells regulated under the SDWA or are zero dischargers that engage in CWA-equivalent treatment before ultimate land disposal, are prohibited from land disposal; CWA-equivalent treatment defined	124	268.37(a)					
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SPECIAL CONSOLIDATED CHECKLIST: Phases I-IV
Land Disposal Restrictions as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADE R IN SCOPE
effective February 10, 1994, wastes specified in 261.21 as D001 (and not in the High TOC Ignitable Liquids subcategory) and in 261.22 as D002 that are managed in systems defined in 40 CFR 144.6(e) and 146.6(e) as Class V injection wells that do not engage in CWA-equivalent treatment before injection are prohibited from land disposal	124	268.37(b)					

SUBPART C - PROHIBITIONS ON LAND DISPOSAL

45 WASTE SPECIFIC PROHIBITIONS - NEWLY IDENTIFIED ORGANIC TOXICITY CHARACTERISTIC WASTES AND NEWLY LISTED COKE BY-PRODUCT AND CHLOROTOLUENE PRODUCTION WASTES

land disposal prohibitions for specified wastes as of December 19, 1994; definition of CWA-equivalent treatment	137	268.38(a)					
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SPECIAL CONSOLIDATED CHECKLIST: Phases I-IV
Land Disposal Restrictions as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADE R IN SCOPE
September 19, 1996 land disposal prohibition of radioactive wastes mixed with D018-D043 meeting certain criteria; definition of CWA-equivalent treatment; similar prohibition for radioactive wastes mixed with K141-K145 and K147-K151 and for soil and debris contaminated with these radioactive mixed wastes	137	268.38(b)					
where 268.38(b) wastes may be disposed of between December 19, 1994 and September 19, 1996	137	268.38(c)					
when the requirements of 268.38(a), (b), and (c) do not apply:	137	268.38(d)					
wastes meet applicable Part 268, Subpart D treatment standards	137	268.38(d)(1)					
exemption pursuant to a 268.6 petition	137	268.38(d)(2)					
wastes meet alternate treatment standards pursuant to 268.44	137	268.38(d)(3)					
granted an extension to the effective date of a prohibition pursuant to 268.5	137	268.38(d)(4)					

SPECIAL CONSOLIDATED CHECKLIST: Phases I-IV
Land Disposal Restrictions as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADE R IN SCOPE
how to and who determines whether a hazardous waste identified in 268.38 exceeds applicable treatment standards specified in 268.40	137	268.38(e)					
46 WASTE SPECIFIC PROHIBITIONS--SPENT ALUMINUM POTLINERS; REACTIVE; AND CARBAMATE WASTES							
add paragraph; specified wastes and soil and debris contaminated with these wastes are prohibited from land disposal as of July 8, 1996	151,†159	268.39(a)					
47 add paragraph; as of July 8, 1996, D003 wastes are prohibited from land disposal; exceptions	151	268.39(b)					
add paragraph; K088 wastes and soil and debris contaminated with these wastes are prohibited from land disposal as of July 8, 1997; add "on July 8, 1997" to the last sentence after "disposal"	151,155	268.39(c)					

SPECIAL CONSOLIDATED CHECKLIST: Phases I-IV
Land Disposal Restrictions as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADE R IN SCOPE
add paragraph; radioactive wastes mixed with specified wastes and soil and debris contaminated with these radioactive mixed wastes are prohibited from land disposal as of April 8, 1998; replace "U277- U280" with "U278- U280"; replace "U364- U367" with "U364, U367"; remove "U375- U379,"; replace "U381- U387, U389-U396" with "U387, U389, U394, U395"; replace "U400- U404" with "U404"; remove "U407,"	151,†159	268.39(d)					
add paragraph; between July 8, 1996 and April 8, 1998, the wastes listed in 268.39(a), (c), and (d) may be disposed in a landfill or surface impoundment only if such unit complies with the requirements of 268.5(h)(2)	151	268.39(e)					
add paragraph; the requirements of 268.39(a)-(d) do not apply if:	151	268.39(f)					
the wastes meet the treatment standards specified in part 268 subpart D	151	268.39(f)(1)					

SPECIAL CONSOLIDATED CHECKLIST: Phases I-IV
Land Disposal Restrictions as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADE R IN SCOPE
persons have been granted an exemption from a prohibition pursuant to a petition under 268.6, with respect to the wastes and units covered by the petition	151	268.39(f)(2)					
the wastes meet the applicable alternate treatment standards established pursuant to a petition granted under 268.44	151	268.39(f)(3)					
persons have been granted an extension to the effective date of a prohibition pursuant to 268.5, with respect to the wastes covered by the extension	151	268.39(f)(4)					

SPECIAL CONSOLIDATED CHECKLIST: Phases I-IV
Land Disposal Restrictions as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADE R IN SCOPE
add paragraph; to determine whether a hazardous waste identified in 268.39 exceeds the applicable treatment standards specified in 268.40, the initial generator must test a sample of the waste extract, test the entire waste, or use knowledge of the waste; the waste is prohibited from land disposal, and part 268 requirements apply if the waste contains constituents exceeding part 268 subpart D levels, except as otherwise specified	151	268.39(g)					

SUBPART D - TREATMENT STANDARDS

48 APPLICABILITY OF TREATMENT STANDARDS

replace paragraph; when a prohibited waste identified in the table "Treatment Standards for Hazardous Wastes" may be land disposed	126,137, 151	268.40(a)					
add new subparagraph; all hazardous constituents in the waste or in the treatment residue must be at or below the values found in the table for that waste ("total waste standards")	137	268.40(a)(1)					

SPECIAL CONSOLIDATED CHECKLIST: Phases I-IV
Land Disposal Restrictions as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADE R IN SCOPE
add new subparagraph; hazardous constituents in the extract of the waste or in the extract of the treatment residue must be at or below the values found in the table ("waste extract standards")	137	268.40(a)(2)					
add new subparagraph; waste must be treated using the technology specified in the table ("technology standard"), which are described in detail in 268.42, Table 1 - Technology Codes and Description of Technology-Based Standards	137	268.40(a)(3)					
replace paragraph; how to comply for wastewaters; how to comply for nonwastewaters; compliance for wastes covered by the waste exhaust standards; compliance for wastes covered by a technology standard	109, 124,137	268.40(b)					
replace paragraph; treatment standards when wastes with differing treatment standards are combined	137	268.40(c)					

SPECIAL CONSOLIDATED CHECKLIST: Phases I-IV
Land Disposal Restrictions as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADE R IN SCOPE
add new paragraph; how treatment and disposal facilities demonstrate (and certify pursuant to 40 CFR 268.7(b)(5)) compliance with the treatment standards for organic constituents	109,137	268.40(d)					
add new subparagraph; treatment standards were established based on incineration in units operated in accordance with Part 264, Subpart O or on combustion in fuel substitution units operating in accordance with applicable technical requirements	137	268.40(d)(1)					
add new subparagraph; use of methods referenced in 268.40(d)(1) to treat organic constituents	137	268.40(d)(2)					
add new subparagraph; demonstrate that good-faith analytical efforts achieve detection limits for the regulated organic constituents that do not exceed the treatment standards specified in 268.40 by an order of magnitude	137	268.40(d)(3)					

SPECIAL CONSOLIDATED CHECKLIST: Phases I-IV
Land Disposal Restrictions as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADE R IN SCOPE
49 add new paragraph; for characteristic wastes with treatment standards in the "Treatment Standards for Hazardous Wastes" Table, all underlying hazardous constituents must meet Universal Treatment Standards	137,151	268.40(e)					
add new paragraph; other wastes to which the treatment standards for F001-F005 nonwastewater constituents carbon disulfide, cyclohexanone, and/or methanol apply; how compliance is measured	137	268.40(f)					
50 add paragraph; between August 26, 1996 and August 26, 1997, the treatment standards for listed carbamate wastes and soil contaminated with those wastes may be satisfied by either meeting the constituent concentrations in 268.40 table Treatment Standards for Hazardous Wastes: or by treating the waste using specified technologies	151	268.40(g)					

SPECIAL CONSOLIDATED CHECKLIST: Phases I-IV
Land Disposal Restrictions as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADE R IN SCOPE
51 add table, "Treatment Standards for Hazardous Waste"; add entries for F032, F034, and F035; revise entries for D001 and F024 as per 62 FR 26023-26025; amend table by adding language "(This listing does not apply to wastes generated from the manufacture of 3-iodo-2-propynyl n-butylcarbamate.)" at end of existing text in second column for K156, K157 and K158	137,151, 157,†159	268.40/Table					
48 TREATMENT STANDARDS EXPRESSED AS CONCENTRATIONS IN WASTE EXTRACT							
replace paragraph; refer to 268.40 for requirements previously found in this section and for treatment standards in Table CCWE	126,137	268.41					
52 removed	109,137	268.41(a)-(c)					
52 removed	109,124, 136,137	268.41(a)/Table CCWE					
48 TREATMENT STANDARDS EXPRESSED AS SPECIFIED TECHNOLOGIES							
add note; refer to 268.40 for requirements previously found in 268.42 Table 2 and Table 3	137	268.42/note					

SPECIAL CONSOLIDATED CHECKLIST: Phases I-IV
Land Disposal Restrictions as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADE R IN SCOPE
replace "Table 2 and Table 3 of this section" with "the table in § 268.40 "Treatment Standards for Hazardous Wastes," for which standards are expressed as a treatment method rather than a concentration level,"	137	268.42(a)					
insert entry for "CMBST" in alphabetical order, as shown at 60 <u>FR</u> 302 (January 3, 1995); revise description of technology based standards for CMBST; add entry for "POLYM" as per 62 <u>FR</u> 26025	137,151, 157	268.42(a)/Table 1					
53 removed	109,124, 137	268.42(a)/Table 2					
53 removed	137	268.42(a)/Table 3					

SPECIAL CONSOLIDATED CHECKLIST: Phases I-IV
Land Disposal Restrictions as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADE R IN SCOPE

Guidance note: 268.42(b) is NOT DELEGABLE. States should see pre-note 4 at the beginning of this checklist regarding how to incorporate this section into their code.

replace "achievable" with "achieved"; after the first occurrence of "(a), (c) and (d) of this section" add "for wastes or specified in Table 1 of § 268.45 for hazardous debris"; after the second occurrence of "(a), (c) and (d) of this section" add "for wastes or in Table 1 of § 268.45 for hazardous debris"	109	268.42(b)					
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†★,31 **ALTERNATE TREATMENT STANDARDS FOR LAB PACKS**

replace paragraph; lab pack does not contain any Part 268, Appendix IV wastes	137	268.42(c)(2)					
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SPECIAL CONSOLIDATED CHECKLIST: Phases I-IV
Land Disposal Restrictions as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADE R IN SCOPE
replace paragraph; radioactive mixed wastes are subject to the treatment standards in 268.40; when standards are specified in Table of Treatment Standards, then those govern; where there is no specific standard for radioactive mixed waste, then the treatment standard for the hazardous waste applies; hazardous debris containing radioactive waste is subject to the 268.45 treatment standards	109,137	268.42(d)					

48 TREATMENT STANDARDS EXPRESSED AS WASTE CONCENTRATIONS

	replace entire section with a paragraph referring to 268.40 for requirements previously found in this section and for treatment standards in Table CCW	137	268.43				
54	removed	137	268.43(a)-(c)(3)				
54	removed	109, 124,137	268.43(a)/Table CCW				

SPECIAL CONSOLIDATED CHECKLIST: Phases I-IV
Land Disposal Restrictions as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADE R IN SCOPE

55 VARIANCE FROM A TREATMENT STANDARD

revise paragraph; the following facilities are excluded from the treatment standards under §268.40 and are subject to the following constituent concentrations:	157	268.44(o)					
revise title of table to read "Table--Wastes Excluded from the Treatment Standards Under §268.40"	157	268.44(o)/Table 1					

56 TREATMENT STANDARDS FOR HAZARDOUS DEBRIS

treatment of hazardous debris prior to land disposal as specified unless EPA determines under 261.3(e)(2) that debris is no longer contaminated with hazardous waste	109	268.45(a)					
general; treatment for each 268.45(b) contaminant subject to treatment in accordance with 268.45, Table 1	109	268.45(a)(1)					
characteristic debris; deactivation as specified in 268.45, Table 1	109	268.45(a)(2)					

SPECIAL CONSOLIDATED CHECKLIST: Phases I-IV
Land Disposal Restrictions as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADE R IN SCOPE
mixtures of debris types; standards for each debris type must be achieved; if applicable, immobilization must be used last	109	268.45(a)(3)					
mixtures of 268.45(b) contaminant types; 268.45, Table 1 treatment for each contaminant must be used; if applicable, immobilization must be used last	109	268.45(a)(4)					
waste PCBs; hazardous debris subject to both 40 <u>CFR</u> 761 and 268.45 must meet more stringent requirements	109	268.45(a)(5)					
hazardous debris treated for each "contaminant subject to treatment," determined as follows:	109	268.45(b)					
toxicity characteristic debris; those EP constituents for which debris exhibits a toxicity characteristic	109	268.45(b)(1)					
debris contaminated with listed waste; constituents or wastes for which treatment standards are established for the waste under §268.40	109,137	268.45(b)(2)					

SPECIAL CONSOLIDATED CHECKLIST: Phases I-IV
Land Disposal Restrictions as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADE R IN SCOPE
cyanide reactive debris; reactive because of cyanide must be treated for cyanide	109	268.45(b)(3)					
when hazardous debris that has been treated is not considered a hazardous waste; hazardous debris contaminated with a listed waste that is treated by a Table 1 immobilization technology must be managed in a Subtitle C facility	109	268.45(c)					
general requirements for treatment residues:	109	268.45(d)(1)					
separate residue from debris by simple physical or mechanical means;	109	268.45(d)(1)(i)					
residue is subject to 268 Subpart D waste-specific treatment standards	109	268.45(d)(1)(ii)					
residue from nontoxic debris, as specified, must be deactivated; not subject to 268 Subpart D waste-specific treatment standards	109	268.45(d)(2)					
residue from cyanide- reactive debris must meet 268.43, D003 standards	109	268.45(d)(3)					

SPECIAL CONSOLIDATED CHECKLIST: Phases I-IV
Land Disposal Restrictions as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADE R IN SCOPE
ignitable nonwastewater residue, as specified, must meet technology-based "D001 Ignitable Liquids" standard	109	268.45(d)(4)					
layers of debris removed by spalling remain subject to 268.45 treatment standards	109	268.45(d)(5)					
alternative treatment standards for hazardous debris	109	268.45/Table 1					

57 ALTERNATIVE TREATMENT STANDARDS BASED ON HTMR

add paragraph referring to 268.40 for treatment standards previously found in this section	109,137	268.46					
58 removed	109,137	268.46/Table 1					

SPECIAL CONSOLIDATED CHECKLIST: Phases I-IV
Land Disposal Restrictions as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADE R IN SCOPE

59 UNIVERSAL TREATMENT STANDARDS

Table UTS identifies the hazardous constituents along with the nonwastewater and wastewater treatment standard levels used to regulate most prohibited hazardous wastes with numerical limits; standards cannot be exceeded for determining compliance with treatment standards for underlying hazardous constituents as defined in 268.2(i); compliance measured by analysis of grab samples unless noted in table	137	268.48(a)					
60 "Table UTS - Universal Treatment Standards"; revise table as given at 61 <u>FR</u> 15654 (April 8, 1996) as amended at 61 <u>FR</u> 33690 (June 28, 1996), 61 <u>FR</u> 43931 (August 26, 1996), and 62 <u>Fr</u> 7596 (February 19, 1997)	137,151	268.48(a)/Table UTS					

SPECIAL CONSOLIDATED CHECKLIST: Phases I-IV
Land Disposal Restrictions as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADE R IN SCOPE

SUBPART E - PROHIBITIONS ON STORAGE

PROHIBITIONS ON STORAGE OF RESTRICTED WASTES

replace "tanks or containers" with "tanks, containers, or containment buildings"; insert "and parts 264 and 265" after "262.34"; remove sentences in parentheses	109	268.50(a)(1)					
replace "tanks or containers" with "tanks, containers, or containment buildings"	109	268.50(a)(2)					

APPENDIX I TO PART 268

61 removed and reserved	126,157	Appendix I					
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APPENDIX II TO PART 268

62 removed and reserved	109,157	Appendix II					
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APPENDIX III TO PART 268

63 removed and reserved	157	Appendix III					
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SPECIAL CONSOLIDATED CHECKLIST: Phases I-IV
Land Disposal Restrictions as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADE R IN SCOPE

APPENDIX IV TO PART 268

†★,31 **WASTES EXCLUDED FROM LAB PACKS UNDER THE ALTERNATIVE TREATMENT STANDARDS OF 268.42(c)**

revise appendix, replacing the old list of hazardous waste codes with a list of the EPA hazardous waste codes for hazardous wastes that may not be placed in lab packs under the alternative lab pack treatment standards at 268.42(c)	137	Appendix IV					
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APPENDIX V TO PART 268

†★,31 **ORGANIC LAB PACKS**

removed and reserved	137	Appendix V					
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SPECIAL CONSOLIDATED CHECKLIST: Phases I-IV
Land Disposal Restrictions as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADE R IN SCOPE

APPENDIX VI TO PART 268

**RECOMMENDED TECHNOLOGIES TO ACHIEVE DEACTIVATION OF CHARACTERISTICS IN
SECTION 268.42**

revise introduction to appendix; treatment standard for many characteristic wastes is stated in 268.40; characteristic wastes that are not managed in a facility must be treated not only by "deactivating" but also to achieve UTS for underlying constituents; the appendix presents a partial list that may help meet treatment standards; use of these treatment standards is not mandatory	157	Appendix VI					
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APPENDIX VII TO PART 268

EFFECTIVE DATES OF SURFACE DISPOSED PROHIBITED HAZARDOUS WASTES

revise tables 1 and 2 as shown in 62 <u>FR</u> 26025-26037	157	Appendix VII					
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APPENDIX VIII TO PART 268

64 NATIONAL CAPACITY LDR VARIANCES FOR UIC WASTES

revise table as shown in 62 FR 26037-26039	157	Appendix VIII					
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SPECIAL CONSOLIDATED CHECKLIST: Phases I-IV
Land Disposal Restrictions as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADE R IN SCOPE

APPENDIX IX TO PART 268

**EXTRACTION PROCEDURE (EP) TOXICITY TEST METHOD AND STRUCTURAL INTEGRITY TEST
(METHOD 1310)**

1	replace EP Toxicity Test method with note regarding EP in "Test Methods for Evaluating Solid Waste, Physical/Chemical Methods"	126	Appendix IX				
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APPENDIX X TO PART 268

65 RECORDKEEPING, NOTIFICATION, AND/OR CERTIFICATION REQUIREMENTS

removed and reserved	137,157	Appendix X					
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APPENDIX XI TO PART 268

add new appendix: "Metal Bearing Wastes Prohibited From Dilution in a Combustion Unit According to 40 CFR 268.3(c)"	151	Appendix XI					
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**PART 270 - EPA ADMINISTERED PERMIT PROGRAMS:
THE HAZARDOUS WASTE PERMIT PROGRAM**

SUBPART B - PERMIT APPLICATION

CONTENTS OF PART A OF THE PERMIT APPLICATION

add new paragraph; description of debris category(ies) and contaminant category(ies) to be treated, stored or disposed of at facility	109	270.13(n)					
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SPECIAL CONSOLIDATED CHECKLIST: Phases I-IV
Land Disposal Restrictions as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADE R IN SCOPE

CONTENTS OF PART B: GENERAL REQUIREMENTS

insert "and hazardous debris" after "hazardous waste"; insert "of this chapter" after "part 264"	109	270.14(b)(2)					
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SUBPART D - CHANGES TO PERMIT

66 PERMIT MODIFICATION AT THE REQUEST OF THE PERMITTEE

replace "of restricted wastes" with ", or in containment buildings"	109	270.42(e)(3)(ii)(B)					
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APPENDIX I TO SECTION 270.42

67 CLASSIFICATION OF PERMIT MODIFICATION

remove second occurrence of B(1)(b)	124	270.42 Appendix I, B(1)(b)					
redesignate old B(1)(c) as B(1)(d), old B(1)(b) becomes B(1)(c); add new item involving underlying hazardous constituents in ignitable or corrosive wastes	124	270.42 Appendix I, B(1)(c)					
old B(1)(c) becomes B(1)(d)	124	270.42 Appendix I, B(1)(d)					
add entry 6 to section I	109	270.42 Appendix I, I (6)					
add new section M	109	270.42 Appendix I, M					

SPECIAL CONSOLIDATED CHECKLIST: Phases I-IV
Land Disposal Restrictions as of June 30, 1997 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADE R IN SCOPE
SUBPART G - INTERIM STATUS							
CHANGES DURING INTERIM STATUS							
remove "or" before "containers" and insert "or containment buildings" after "containers"; in two places, insert "of this chapter" after "Part 268"	109	270.72(b)(6)					

† Optional.

†★ Conditionally optional. While the provisions indicated were optional when first added to the CFR, States which have chosen to adopt them must also adopt the subsequent revisions. The revisions, therefore, are considered conditionally optional.

- 1 Note, Revision Checklist 126 (58 FR 46040; August 31, 1993), a non-LDR checklist, replaced the TCLP (method 1311) in Appendix II to Part 261 and the EP toxicity test method (method 1310) in Part 268, Appendix IX with notes referencing the TCLP and EP in "Test Methods for Evaluating Solid Waste, Physical/Chemical Methods" as incorporated by reference at 260.11(a). All references to Part 261, Appendix II and Part 268, Appendix IX were revised to reflect these changes. Revision Checklist 126 did not revise the content nor the intended use of the TCLP or the EP toxicity methods. See pre-note 3 for further discussion.
- 2 The original 261.3(c)(2)(ii)(C), as introduced by Revision Checklist 95, included subparagraphs (C)(1), (2), and (3). Revision Checklist 109 completely revised the text and reorganized the paragraph into two subparagraphs, (C)(1)&(2).
- 3 This revision fixes an error in the July 1, 1991 CFR which makes it appear that there are two paragraphs designated as 262.34(a)(2) (see the editorial note in the CFR). Revision Checklist 82 originally inserted the first 262.34(a)(2), 262.34(a)(2)(i), and 262.34(a)(2)(ii) and redesignated the old 262.34(a)(2)-(4) as 262.34(a)(3)-(5). However, Revision Checklist 92 redesignated 262.34(a)(3) as 262.34(a)(2), effectively removing the first 262.34(a)(2) and incorporating these requirements into 262.34(a)(1) at 262.34(a)(1)(iii) and (iii)(A)&(B). It was not the Agency's intent to include these requirements both at 262.34(a)(1)(iii)(A)&(B) and at 262.34(a)(2) as is indicated in the July 1, 1991 CFR. The first 262.34(a)(2) in that CFR should not be in the code. Revision Checklist 92 also redesignated 262.34(a)(3)-(5) as 262.34(a)(2)-(4), i.e., returned these subparagraphs to their original numbering prior to the redesignation by Revision Checklist 82. The revision, which is part of Revision Checklist 109, removes the first 262.34(a)(2), returning the code to what was intended by Revision Checklist 92.

SPECIAL CONSOLIDATED CHECKLIST: Phases I-IV
Land Disposal Restrictions as of June 30, 1997 (cont'd)

- 4 Revision Checklist 109 (57 FR 37194; August 18, 1992) added Part 264 Subpart DD and Part 265 Subpart DD.
- 5 Note that there is an error in the Federal Register for Revision Checklist 109 (57 FR 37194; August 18, 1992); the deadline for the written notice should be February 18, 1993, rather than November 16, 1992 as it appears in the Federal Register, in keeping with the effective date of these provisions, with the preamble to the rule at 57 FR 37215 (second full paragraph in the right-hand column), and with the similar provision under 265.1101(b)(4)(i).
- 6 Note that there is a typographical error in the Federal Register for Revision Checklist 109 (57 FR 37194; August 18, 1992); "lead" should be "led."
- 7 Note that the Federal Register for Revision Checklist 109 (57 FR 37194; August 18, 1992) introduces an error into the second-to-last sentence of this subparagraph by inserting an extraneous "with" between "§§" and "265.111."
- 8 Note that there is an error in the Federal Register article for Revision Checklist 109 (57 FR 37194; August 18, 1992). The phrase "as needed to permit" should read "as needed to prevent".
- 9 Note that in the FR article for Revision Checklist 137 (59 FR 47982; September 19, 1994), there is an error in the internal references in this paragraph--"subparts A through N of parts 124, 264, 265, 268 and 270" should be "subparts A through N of parts 264 and 265, and parts 268, 270, and 124." The correct internal references are given on the checklist.
- 10 There is a typographical error in the FR article for Revision Checklist 137 (59 FR 47982; September 19, 1994): the reference to "appendix IX" should be to "appendix XI." In the version of 266.100(c)(3)(i)(A) prior to this rule, the reference was to "appendix XI", but this rule incorrectly changed it to "appendix IX." States should not make this change. As such, this change was not listed on the checklist.
- 11 Portions of part 268 were significantly revised by Revision Checklist 137 (59 FR 47982; September 19, 1994) to reflect the changes made by the universal treatment standards rule. For completeness and continuity, entire sections were included on that rule, although there were some paragraphs that were not affected. These unaffected paragraphs are not found on this consolidated checklist. States that wish to know which rules were not affected by the universal treatment standards rule should refer to Revision Checklist 137.
- 12 There is a typographical error in the title of this section as printed in 58 FR 29860 (May 24, 1993; Revision Checklist 124); "scope/and" should be "scope and". States should retain the correct title as it appears in the CFR.
- 13 The original subparagraph 268.1(c)(3) was introduced by Revision Checklist 34, modified by Checklist 39, then removed by Revision Checklist 50, with 268.1(c)(4) redesignated as (c)(3). The redesignated subparagraph 268.1(c)(3) was subsequently removed by Revision Checklist 66. A new subparagraph was introduced into the code by Revision Checklist 78. The April 8, 1996 final rule (61 FR 15660; Revision

SPECIAL CONSOLIDATED CHECKLIST: Phases I-IV
Land Disposal Restrictions as of June 30, 1997 (cont'd)

Checklist 151) removed and reserved 268.1(c)(3). The June 28, 1996 final rule (61 FR 33680) from the same checklist added a new 268.1(c)(3) that is very similar to the paragraph that existed prior to the April 8, 1996 final rule at 61 FR 15660.

- 14 There is a typographical error in the June 28, 1996, technical correction (61 FR 33680; Revision Checklist 151): the internal reference "40 CFR 146.6(a)" should be "40 CFR 144.6(a)".
- 15 Subparagraph 268.1(c)(3)(iii) was introduced into the Federal code by Revision Checklist 137 and removed by Revision Checklist 151 (see the April 8, 1996 (61 FR 15660) and the June 28, 1996 (61 FR 33680) final rules).
- 16 Subparagraph 268.1(c)(4) originated in Revision Checklist 34, was modified by Revision Checklist 39, redesignated as 268.1(c)(3) while the original 268.1(c)(5) was redesignated as 268.1(c)(4) by Revision Checklist 50, and finally removed by Revision Checklist 66. Revision Checklist 151 (61 FR 33680; June 28, 1996) added a new 268.1(c)(4) and (c)(4)(i)-(iv).
- 17 This paragraph regarding the Part 268 exemption for universal waste is included on the Consolidated LDR Checklist for completeness only. See Pre-note 10 for further discussion regarding Universal Waste rule.
- 18 Subparagraphs 268.2(f)(1)-(3) were introduced into the Federal code by Revision Checklist 78, revised by Revision Checklist 83, and removed by Revision Checklist 151.
- 19 Subparagraphs 268.2(g)(1)-(8) were introduced into the Federal code by Revision Checklist 78, modified by Revision Checklist 83, and removed by Revision Checklist 109.
- 20 The former section heading of §268.7, "Waste Analysis and Recordkeeping," was changed by Revision Checklist 157 to the current heading.
- 21 §268.7(a) was completely revised by Revision Checklist 157. This included adding a new paragraph, 268.7(a)(4), and revising and redesignating 268.7(a)(4)-268.7(a)(8) as 268.7(a)(5)-268.7(a)(9). Revision Checklist 157 also introduces text into 268.7(a)(9) which was removed and reserved by Revision Checklist 137.
- 22 Note, there are two typographical errors in the September 19, 1994 FR article for Revision Checklist 137 (59 FR 47982): there should be a ")" after "§268.2" and "(SW-846))" should be "(SW-846)". There is also a typographical error in the first April 8, 1996, rule (61 FR 15566; Revision Checklist 151): In the last sentence, insert a closing parenthesis after "as defined in § 268.2". This error also appears in the July 1, 1996 CFR.
- 23 This text was originally placed at 268.7(a); however, Revision Checklist 157 redesignated the paragraph as 268.7(a)(1) in addition to revising it.

SPECIAL CONSOLIDATED CHECKLIST: Phases I-IV
Land Disposal Restrictions as of June 30, 1997 (cont'd)

- 24 Subparagraphs 268.7(a)(1)(i)-(v) were revised by Revision Checklists 109, 124, 137 and 151. However, these sections were removed by Revision Checklist 157.
- 25 Subparagraph 268.7(a)(1)(vi) was originally introduced into the Federal code by the September 19, 1994 (59 FR 47982) and the January 3, 1995 (60 FR 242) Federal Register articles for Revision Checklist 137. It was removed by the first April 8, 1996 (61 FR 15566) final rule of Revision Checklist 151.
- 26 This text was introduced by Revision Checklist 157 and placed at 268.7(a)(2). The text which was originally at 268.7(a)(2) was revised and redesignated as 268.7(a)(3).
- 27 Subparagraphs 268.7(a)(2)(i)(A)-(D) were removed by Revision Checklist 157. Prior to their removal these provisions were affected by Revision Checklists 34, 39, 78, 83, 137, and 151. See these checklists for the specific revisions.
- 28 Subparagraph 268.7(a)(2)(ii) was introduced by Revision Checklist 34, revised by Revision Checklist 39, and removed by Revision Checklist 157.
- 29 Subparagraphs 268.7(a)(3)(iii)-(vii) were removed by Revision Checklist 157. Prior to their removal these provisions were affected by Revision Checklists 50, 109, and 137. See these checklists for the specific revisions.
- 30 Subparagraphs 268.7(a)(4)(i)-(iii) were removed by Revision Checklist 157. Prior to their removal these provisions were affected by Revision Checklists 50 and 78. See these checklists for the specific revisions.
- 31 This code is part of the optional requirements for the alternate treatment standards for lab packs under the Third Third Scheduled Waste Rule. If adopted, all of the requirements (i.e., 264.316(f), 265.316(f), 268.7(a)(9), 268.42(c), 268.42(c)(1)-(4), Appendix IV and V to Part 268) related to these alternate treatment standards must be adopted.
- 32 The original 268.7(a)(9) was removed and reserved by Revision Checklist 137. Revision Checklist 157 revised the text of 268.7(a)(8) and redesignated it as 268.7(a)(9).
- 33 Revision Checklist 157 removed the old 268.7(b)(2) and completely revised 268.7(b)(3)-(7), redesignating them as 268.7(b)(2)-(6), respectively.
- 34 There appears to be an error in the January 3, 1995 amendment for Revision Checklist 137 (60 FR 242). The phrase "or State authorized to implement part 268 requirements" is printed twice in the same sentence.
- 35 Section 268.8 was removed and reserved by the first rule of Revision Checklist 151 (April 8, 1996 (61 FR 15566). Note, however, there are numerous internal references to this section throughout the CFR that were not removed.

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Land Disposal Restrictions as of June 30, 1997 (cont'd)

- 36 Note that the changes made to 268.9(d)(intro) and 268.9(d)(1)(i)&(ii) by the first April 8, 1996 final rule for Revision Checklist 151 (61 FR 15566) were withdrawn by the second April 8, 1996 final rule (61 FR 15660). Thus, effectively, Revision Checklist 151 made no changes to these subparagraphs. The 1995 CFR should be used for the correct version.
- 37 The first April 8, 1996, rule of Revision Checklist 151 (61 FR 15566) added subparagraphs 268.9(d)(3) and 268.9(e)-(g), which were subsequently withdrawn by the second final rule of that checklist (April 8, 1996; 61 FR 15660).
- 38 Note that there is a typographical error in the Federal Register article for Revision Checklist 137 (59 FR 47982; September 19, 1994). There should be a closing parenthesis following the phrase "(as defined in 268.2(i)".
- 39 Sections 268.10 through 268.13 of Subpart B are not included in this checklist because they address the schedule with which EPA will restrict wastes from land disposal. States do not need to adopt these sections; however, section 268.14, as introduced by Revision Checklist 109 (57 FR 37194; August 18, 1992), is required.
- 40 The heading for this section was changed by Revision Checklist 157. The old heading, "Waste Specific Prohibitions -- Solvent Wastes" was revised to read as noted in this checklist.
- 41 Subparagraphs 268.30(a)(1)-(4) were removed by Revision Checklist 157. Prior to their removal these provisions were affected by Revision Checklists 34, 39 and 50. See these checklists for the specific revisions.
- 42 Revision Checklist 157 redesignated the old 268.30(d)(3) as 268.30(d)(4), and inserted a new 268.30(d)(3).
- 43 The old 268.32-268.36 were removed by Revision Checklist 157. Prior to their removal these provisions were affected by Revision Checklists 109, 116, and 123. See these checklists for the specific revisions. Note that the 1997 40 CFR contains an error in that these paragraphs have not been removed.
- 44 Section 268.37 was added by Revision Checklist 124 (58 FR 29860; May 24, 1993).
- 45 Section 268.38 was added by Revision Checklist 137 (59 FR 47982; September 19, 1994).
- 46 Section 268.39 was originally introduced by the first rule of Revision Checklist 151 (April 8, 1996; 61 FR 15566). It was withdrawn and then re-added by the second rule (April 8, 1996; 61 FR 15660). Paragraph 268.39(e) was subsequently revised by the June 28, 1996, technical correction (61 FR 33680) of the same checklist.
- 47 Note there is a typographical error in the second Revision Checklist 151 rule published on April, 8, 1996 (61 FR 15660): "268.40))." should be "268.40).".

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- 48 Sections 268.40, 268.41, 268.42, and 268.43 were substantially revised by the Universal Treatment Standards rule addressed by Revision Checklist 137 (59 FR 47982; September 19, 1994; 60 FR 242, January 3, 1995). See pre-note 8 for further discussion.
- 49 There is a typographical error in the September 19, 1994 FR article for Revision Checklist 137 (59 FR 47982): there should not be a "(" before "D001". Note that the first April 8, 1996 final rule of Revision Checklist 151 (61 FR 15566) introduced subparagraphs 268.40(e)(1)-(4). However, these subparagraphs were withdrawn by the second rule for that checklist published on April 8, 1996 (61 FR 15660).
- 50 At 268.40(g) there are two typographical errors in the August 26, 1996, FR article for Revision Checklist 151 (61 FR 43924): "biodegradation as defined by the technology code BIODG" should be "biodegradation as defined by the technology code BIODG".
- 51 The table in § 268.40 was originally replaced by the first April 8, 1996 final rule of Revision Checklist 151 (61 FR 15566). It was further amended by the second April 8, 1996, the June 28, 1996, July 10, 1996 and the August 26, 1996 final rules. Finally, the February 19, 1997 final rule (62 FR 7502) revised and updated the entire 268.40 Table. All of these rules are included in Checklist 151. The following errors are found in the Table:
- There is a typographical error in the Waste Description column for F027: the last closing period should be placed inside the last closing parenthesis.
 - The extra period at the end of the Waste Description for F039 should be removed.
 - For Endnotes 8 and 9, the last closing period should be placed inside the last closing parenthesis.
 - In Endnote 9, the section symbol ("§") is missing from the internal reference.
- 52 Subparagraphs 268.41(a)-(c) were removed by Revision Checklist 157. Prior to their removal these provisions were affected by Revision Checklists 34, 50, 63, 78, 83, 95, 102, 109, 124, 136, and 137. See these checklists for the specific revisions.
- 53 Revision Checklist 137 removed Tables 2 and 3 from 268.42(a). Prior to their removal these provisions were affected by Revision Checklists 78, 83, 95, 102, 109, 124, and 137. See these checklists for the specific revisions.
- 54 Subparagraphs 268.43(a)-(c)(3), including Table CCW, were removed by Revision Checklist 137. Prior to their removal these provisions were affected by Revision Checklists 34, 50, 62, 63, 78, 83, 109, and 124. See these checklists for the specific revisions.
- 55 Note that 268.44(o) was added to the Federal code by a March 25, 1991 rule at 56 FR 12351. The provision contains a variance from the treatment standards under 268.43(a) that only affects two facilities located in Chicago, Illinois. The March 25, 1991 rule also added and reserved paragraphs 268.44(m) and (n). Due to the

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limited applicability of this variance, no revision checklist was necessary for this rule. However, Revision Checklist 157 made changes to 268.44(o). As such, this is the only portion of the provision included on this consolidated checklist. States would likely not want to include 268.44(m)-(o) in their code, unless the variance is extended to a facility in that particular State.

- 56 Section 268.45 was added by Revision Checklist 109 (57 FR 37194; August 18, 1992).
- 57 Section 268.46 was originally introduced by Revision Checklist 109 (57 FR 37194; August 18, 1992). Revision Checklist 137 (59 FR 47982; September 19, 1994) replaced the section with a paragraph referring to 268.40.
- 58 The original 268.46/Table 1 was introduced by Revision Checklist 109 and removed by Revision Checklist 137.
- 59 Section 268.48 was added by Revision Checklist 137 (59 FR 47982; September 19, 1994).
- 60 The UTS table at 268.48(a) was initially revised in the first April 8, 1996, article (61 FR 15566, Revision Checklist 151). It was further amended by the June 28, 1996 (61 FR 33680) and the August 26, 1996 (61 FR 43924) final rules. Finally, the February 19, 1997 final rule of Revision Checklist 151 (62 FR 7502) amended and replaced the entire table.
- 61 Appendix I to Part 268 was introduced by Revision Checklist 34, amended by Revision Checklists 74 and 126, and removed by Revision Checklist 157.
- 62 Appendix II to Part 268 was introduced to the Federal code by Revision Checklist 34, amended by Revision Checklist 109, and removed by Revision Checklist 157.
- 63 Appendix III to Part 268 was introduced to the Federal code by Revision Checklist 39 and removed by Revision Checklist 157.
- 64 Note that there is an error at 62 FR 26037 (Revision Checklist 157). The title for Appendix VIII should be listed as "National Capacity LDR Variances for UIC Wastes" but is incorrectly listed in the Federal Register as "LDR Effective Dates of Surface Disposed Prohibited Hazardous Wastes".
- 65 Part 268 Appendix X was added by Revision Checklist 137 (59 FR 47983; September 19, 1994). Revision Checklist 157 removed it.
- 66 Revision Checklist 54 revised the section heading, which previously read "Minor Modification of Permits," to read "Permit Modification at the Request of the Permittee." This was an optional change; therefore a State may have the old section title if it elected not to adopt the Checklist 54 changes. States should also note that 270.42 was not required by 271.14 to be part of a State's authorized permit program. Thus, only States which elected to have a section analogous to 270.42 at the time of base program authorization need worry about the 270.42

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modifications made to this section by Revision Checklists 34, 39, 54, and 109. Revision Checklist 54 removed portions of the code added by Revision Checklists 34 and 39, i.e., 270.42(o) and 270.42(p) and their subparagraphs. However, these deletions were optional. The various scenarios for changes to this section are as follows:

- If the State did not include an analog to 270.42 in its base program, all entries for 270.42 shown in this Consolidated LDR Checklist should be disregarded.
- If the State included an analog to 270.42 in its base program and chose to adopt the optional changes in Revision Checklists 39 and 54, the change to 270.42(e)(3)(ii)(B) should be made; the entries on this Consolidated LDR Checklist for 270.42(o) and (p) and their respective subparagraphs should be disregarded (such code will have been deleted); and the new section title should be used.
- If the State included an analog to 270.42 in its base program, but chose not to adopt the optional changes in Revision Checklists 39 and 54, the change to 270.42(e)(3)(ii)(B) should be made; the State should have analogs to 270.42(o) and (p) and their respective subparagraphs and the old section title may be retained.

67 Appendix I was introduced by Revision Checklist 54 as an optional modification to Section 270.42. Changes to this appendix addressed by Revision Checklists 78, 83, 109 and 124 are relevant only if a State has modified its code to include Appendix I as per Revision Checklist 54.